

jc772 U.S. PTO  
12/08/00

PATENT  
ATTORNEY DOCKET NO.: 80168.0231

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assistant Commissioner for Patents  
**BOX PATENT APPLICATION**  
Washington, D.C. 20231

**TRANSMITTAL FOR A NEWLY EXECUTED ORIGINAL APPLICATION  
UNDER 37 C.F.R. §1.53(b)**

jc675 U.S. PTO  
09/731782  
12/08/00

This is a request for filing a patent application under 37 C.F.R. §1.53(b) for:

Inventors: Tuan

For: SYSTEM AND METHOD FOR DYNAMICALLY DISABLING RESUBMISSION OF HTTP REQUESTS

1. This is a new ☒ **Utility**    ☐ **Design**    ☐ **Plant** patent application.
2. The papers enclosed to obtain a filing date are as follows:
  - 27    Pages of Application including
  - 1    Title Page
  - 11   Pages of Disclosure
  - 5    Pages of Claims
  - 1    Page of Abstract
  - 9    Sheets of drawings containing 4 Figures
  - ☐    The enclosed drawing(s) are photograph(s), and there is also attached a PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S).
3. Combined Declaration and Power of Attorney
  - ☒    Enclosed and is executed by all inventors.
  - ☐    Not Enclosed.

This application is being filed under the provisions of 37 C.F.R. §1.53(f).  
Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.
4. Language
  - ☒    English
  - ☐    Non-English

This application is being filed in accordance with 37 C.F.R. §1.52(d) and §608.01 of the MPEP. Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the verified English translation and the processing fee.

5. Assignment

☒ An assignment of the invention to Sun Microsystems, Inc. and a PTO Form-1595, Recordation Form Cover Sheet, are being filed concurrently herewith.

☐ An assignment will be filed at a later date.

6. Priority - foreign applications under 35 U.S.C. §119(a)-(d) or §365(b) or PCT international applications under 35 U.S.C. §365(a) designating at least one country other than the U.S.

☐ Priority of the following foreign application(s) is claimed:

Country	Application No.	Filed

Certified copy: ☐ is attached. ☐ will follow.

7. Priority based on provisional application(s) - 35 U.S.C. §119(e)

☐ Priority of the following provisional application(s) is claimed:

Application No.	Filed

A. Relate Back - 35 U.S.C. §119(e)

☐ Amend the specification by inserting before the first line the sentence:  
"This application claims priority of copending provisional application(s)  
No. \_\_\_\_\_ filed on \_\_\_\_\_."

8. Small entity status

☐ Applicant hereby asserts entitlement to small entity status under 37 C.F.R. §§1.9 and 1.27.

9. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS FOR FEE CALCULATION				
	Number Filed	Number Extra	at Rate of	Basic Fee Utility \$710.00 Design \$310.00
Total Claims (37 C.F.R. §1.16(c))	16 - 20 =		\$ 18.00 =	+\$
Independent Claims (37 C.F.R. §1.16(b))	5 - 3 =	2	\$ 80.00 x 2 each=	+ \$ 160.00
Multiple dependent claim(s), if any (37 C.F.R. §1.16(d))			\$ 260.00	+
Assignment Fee				+\$ 40.00
SUB-TOTAL =				\$ 200.00
TOTAL FILING FEE =				\$ 910.00

10. Fee Payment

☐ Not Enclosed. **NO FEE IS BEING PAID BY CHECK OR DEPOSIT ACCOUNT AT THIS TIME.**

This application is being filed under the provisions of 37 C.F.R. §1.53(f).  
Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.

☒ Enclosed.  
A check in the amount of \$910.00 representing the filing fee and assignment recordation fee are enclosed. Please charge any deficiencies or credit any overpayments to deposit Account No. 50-1349. A duplicate copy of this paper is enclosed.

11. ☒ **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-1349. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

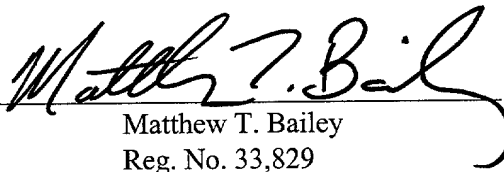
12. Additional papers enclosed:

- ☐ Power of Attorney By Assignee & Certification Under 37 C.F.R. § 3.73(B)
- ☐ Preliminary Amendment
- ☐ Information Disclosure Statement
- ☐ Form PTO- 1449, \_\_ documents as listed
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
- ☒ Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i)

**Please accord this application an application number and filing date.**

Respectfully submitted,

**HOGAN & HARTSON LLP**

By:   
Matthew T. Bailey  
Reg. No. 33,829

Dated: 8 December 2000

**HOGAN & HARTSON LLP**  
555 13<sup>th</sup> Street, N.W.  
Washington, D.C. 20004  
(202) 367-5600  
**Customer No. 24633**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Tuan TRAN ) Examiner: Not Yet Assigned  
)  
Serial No.: Pending ) Group Art Unit: Not Yet Assigned  
)  
Filed: December 8, 2000 )  
)  
For: SYSTEM AND METHOD FOR )  
DYNAMICALLY DISABLING )  
RESUBMISSIONS OF HTTP )  
REQUESTS )

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Commissioner For Patents  
Washington, D.C. 20231

REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)

Sir:

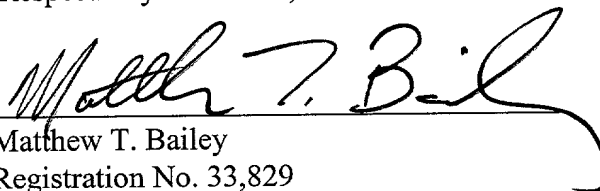
I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

This request is signed in compliance with 37 CFR 1.33(b) and is submitted with the application upon filing. I understand that applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

I also understand that if applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. Failure to do so will result in abandonment of this application (35 U.S.C. 122(B)(2)(B)(iii)).

Dated: December 8, 2000

Respectfully submitted,



Matthew T. Bailey  
Registration No. 33,829  
HOGAN & HARTSON L.L.P.  
Columbia Square  
555 Thirteenth Street, N.W.  
Washington, D.C. 20004-1109  
(202) 637-5764 Tel  
(202) 637-5910 Fax